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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6007 OF 2007

Maharashtra State Road
Transport Corporation ... Petitioner

V/s.

Vijaysinha Krishnarao Shinde ... Respondent

Mr.G.S. Hegde for Petitioner
Mr.M.S. Topkar for Respondent

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **AUGUST 28, 2007**

P.C.:

. The petitioner has challenged the order of the Industrial Court dated 7.4.2007 where the Industrial Court has granted interim relief to the respondent to a certain extent. The Industrial Court has prima facie found that the petitioner has committed an unfair labour practice under Item 9 of Schedule IV of the MRTU & PULP Act by denying allowances to the respondent under the order of 15.3.2007. These allowances have been denied after the respondent accepted a promotional post. The Industrial Court has, therefore, directed the petitioner to temporarily withdraw the unfair labour practice. Besides this, the Industrial Court has directed the wages to be paid as usual i.e., the wages paid before 15.3.2007.

2. In my view, the following order would meet the ends of justice:

i) The impugned order is stayed subject to the following terms.

ii) The Industrial Court is directed to dispose of the complaint expeditiously. In the meantime, the recoveries will not be made from the salary of the respondent due to the implementation of the order dated 15.3.2007.

iii) In the event the complaint is not disposed of within three months, the respondent may make a fresh application for interim relief for withdrawal of the order dated 15.3.2007.

iv) The Industrial Court will decide such an application on its own merits.

3. The Industrial Court is requested to dispose of this complaint expeditiously as several employees of the MSRTC, all over Maharashtra, though employed in different areas, are affected by the order of 15.3.2007.

4. Writ petition is disposed of accordingly.